

Inventor(s): Frater et al.

Appln. No.: 09/ 885,445

Series Code ↑

Serial No. ↑

Filed: June 21, 2001

Mail Stop Non-Fee Amendment

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Group Art Unit 3743

Examiner: Kathryn P. Ferko

Atty. Dkt. P 279185

M#

Client Ref

Appln. Title: MASK WITH GUSSET



RECEIVED

JUN 24 2003

Date: June 20, 2003 TECHNOLOGY CENTER R3700

**REPLY/AMENDMENT/LETTER**

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

- A. ☒ NOT made  
 B. ☐ Withdrawn  
 C. ☐ made herewith  
 D. ☐ made previously

For B & C  
 See **Required  
 Separate Paper  
 (Pat-256)**

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	13	**minus 85	0	x \$18/\$9 = + \$0	103/203
3. Independent Claims	1	***minus 11	0	x \$84/\$42 = + \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....	add	+ \$280/\$140 =	+ \$0	104/204	
5. Original due Date: April 15, 2003	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) \$110/\$55 = (2 mos) \$410/\$205 = (3 mos) \$930/\$465 = (4 mos) \$1,450/\$725 = (5 mos) \$1,970/\$985 =	+ \$930			115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract	- \$0				
8.	Extension Fee	+ \$930			
9. If <b>Terminal Disclaimer</b> attached, add Rule 20(d) official fee .....	+ \$110/\$55	+ \$0			148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add	+ \$180	+ \$0			126
or if Rule 97(d) Request ..... add	+ \$180				126
11. After-Final Request Fee per rules 129(a) and 17(r) .....	+ \$750/370	+ \$0			146/246
12. No. of additional inventions for examination per Rule 129(b) .....	x \$750/375 ea	+ \$0			149/249
13. Request for Continued Examination (RCE) .....	+ \$750/375	+ \$0			1179/1279
14. Petition fee for .....		+ \$0			
15.	<b>TOTAL FEE =</b>		<b>\$930</b>		

**PLEASE CHARGE  
 OUR DEP. ACCT**

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

06/23/2003 ZJUWARI 00000045 033975 09885445

01 FC:1253

930.00 DA

Our Deposit Account No. 03-3975)

(Our Order No. 74066 279185

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
 Intellectual Property Group

By Atty: Paul L. Sharer

Sig:

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13/B  
Jm

In re PATENT APPLICATION OF

Confirmation No.: 2733

FRATER et al.

Group Art Unit: 3743

Appln. No.: 09/885,445

Examiner: Kathryn P. Ferko

Filed: June 21, 2001

Title: MASK WITH GUSSET

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JUN 24 2003

TECHNOLOGY CENTER R3700

\* \* \* \* \*

**RESPONSE UNDER 37 C.F.R. §1.111**

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated January 15, 2003, please amend the above-identified application as follows and consider the following remarks:

**IN THE SPECIFICATION:**

Please amend the paragraph that begins on page 8, line 25, as follows:

Figure 1 shows a force diagram for a ~~known~~ prior art mask;

Please amend the paragraph that begins on page 10, line 19, as follows:

A first embodiment of the respiratory mask 10 of the present invention is shown in Figures 4-9. The mask 10 includes a generally rigid shell 20 having an air tube 22 for connecting to a pressurized air supply 23 25. A gusset portion 32 is attached to the shell 20 in a known manner such as gluing or mechanical fastening. The gusset portion 32 acts as a suspension mechanism for a cushion 30 and includes a flexible gusset sidewall 33. A partial sectional view of the gusset portion 32 is shown in Figure 6. In this embodiment, the gusset sidewall 33 has a generally uniform thickness and the gusset portion 32 has a generally triangular cross-section when not exposed to mask pressure. However, in this embodiment, the flexible sidewall 33 will balloon out when the mask 10 is pressurized to take on the more rounded cross-section shown in Figure 7. The Figure 8 end view of the gusset portion 32